

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
FORT PIERCE DIVISION**

CASE NO. 22-14419-CIV-CANNON/McCabe

RANALD JONES,

Plaintiff,

v.

TEEN CHALLENGE OF FLORIDA, INC.
a Florida Not for Profit Corporation,

Defendant.

**ORDER ACCEPTING MAGISTRATE JUDGE’S
REPORT AND RECOMMENDATION [ECF No. 26]**

THIS CAUSE comes before the Court upon the Magistrate Judge’s Report and Recommendation on Defendant’s Motion to Dismiss Plaintiff’s Amended Complaint (the “Report”) [ECF No. 26], issued on July 20, 2023. On May 19, 2023, Defendant filed a Motion to Dismiss Plaintiff’s Amended Complaint (the “Motion”) [ECF No. 20]. On July 20, 2023, following referral, Judge McCabe issued a Report recommending that the Motion be denied [ECF No. 26 pp. 1, 7]. The Report explicitly warned the parties of the consequences of failing to timely object. Fed. R. Civ. P. 72; 11th Cir. R. 3-1. Objections to the Report were due on August 3, 2023 [ECF No. 26 pp. 7–8]. No party filed objections, and the time to do so has expired [ECF No. 26 p. 7].

To challenge the findings and recommendations of a magistrate judge, a party must file specific written objections identifying the portions of the proposed findings and recommendation to which objection is made. *See* Fed. R. Civ. P. 72(b)(3); *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989); *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006). A district court reviews de novo those portions of the report to which objection is made and may accept, reject,

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or modify in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1). To the extent a party fails to object to parts of the magistrate judge's report, the Court may accept the recommendation so long as there is no clear error of law or fact on the face of the record. *Macort*, 208 F. App'x at 784; *see also* 28 U.S.C. § 636(b)(1).

Following review, the Court finds the Report to be well reasoned and correct and finds no clear of law or fact. For the reasons set forth in the Report [ECF No. 26 pp. 4–7], it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation [ECF No. 26] is **ACCEPTED**.
2. The Motion [ECF No. 20] is **DENIED**.
3. On or before **August 21, 2023**, Defendant shall file an Answer to Plaintiff's Amended Complaint [ECF No. 19].

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 7th day of August 2023.


AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record